

**MEMO ENDORSED**

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The United States District Court  
For the Southern District of New York

Abraham (Junior) Cruz : No. 1:20-CV-4392 (U.E.C.-B.C.M.)  
Plaintiff, : 1:20-CV-1252 (S.E.S.) (L.L.S.)  
: 1:20-CV-0572 (S.E.S.[PA-N.Y.])

U:-

: Honorable Ms. Valerie E. Caproni,  
M.C.C. New York, Mr. Ryan, Honorable Ms. Barbara C. Moses,  
Mrs. Hastings et al., Honorable Mr. Louis S. Stanton,  
Defendants: Honorable Ms. Susan E. Schwab.

Motion for Appointment of Attorney, Substitute or Ombudsman

Requesting Appointment of Lawyer. There's been a Bail-out and a  
Reach... not reported to 1:20-CV-572 to now part of 2555-CA-2021  
(~~Cruz U.S. Fed. Ct. 1:20-CV-435~~). Hon. Conner's Order to Evaluations  
as if on purpose to be Across State Lines, Hon. S.E. Schwab have  
dropped him off, for not including his name, yet it were his Orders.

Montgomery U.S. - Pinchak, 294 F.3d 492, 498 (3<sup>rd</sup> Cir. 2002). Indigent  
Civil Litigant possess neither a Constitution, nor a Statutory Right to appoint  
Counsel... but are allowed Volunteers.

Holder U.S. - City of Allentown, 987 F.2d 188, 194 (3<sup>rd</sup> Cir. 1993). Pro-Se  
Plaintiffs are Entitled to Relief if their complaint sufficiently alleges  
deprivation of any Right secured by the Constitution's Constitution.

This 30<sup>th</sup> of May of 2022

Smart Communications/PADOC

SCI-*Phoenix* (Arizona) 1913

Name, *John W. Morrison*  
Number *NY-2555*

PO-Box-33028 1200 Mohawk Dr. / Box 244  
St-Petersburg-FL-33733 Collegeville, PA 19426

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To:  
The United States District Court  
for the Southern District of New York  
500 Pearl Street  
New York, New York 10007

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The Court is in receipt of Mr. Cruz's requests (1) for permission to submit new evidence (Dkt. 80); (2) to compel compliance (Dkt. 81); and (3) for appointment of an attorney (Dkt. 82). On March 24, 2022, the Court dismissed Mr. Cruz's claims with prejudice. *See Order*, Dkt. 78; *Judgment*, Dkt. 79. The Court found that Mr. Cruz's claims were barred by the statute of limitations, and even if they had not been time-barred, that Mr. Cruz had failed to state a claim. *Id.* The Court sees no reason to reconsider those findings and re-open this case. Accordingly, Mr. Cruz's requests at docket entries 80, 81, and 82 are DENIED.

The Clerk of Court is respectfully directed to close the open motions at docket entries 80 and 82. The Clerk is further directed to mail a copy of this Order to Mr. Cruz, including the Court's Pennsylvania State Prison "control number" on the envelope, and to note the mailing on the docket.

SO ORDERED.

*Valerie Caproni*

Date: June 4, 2022

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE